

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PEOPLE OF THE STATE OF CALIFORNIA) 2:05-cv-143-GEB-PAN
EX REL. BILL LOCKYER, ATTORNEY)
GENERAL OF THE STATE OF)
CALIFORNIA,)
Plaintiff,) ORDER
v.)
POWEREX CORP., a Canadian)
Corporation, dba POWEREX ENERGY)
CORP., and DOES 1 - 100,)
Defendants.)

)

On August 23, 2005, Defendant Powerex Corp. filed an "Ex Parte Application of Powerex Corp. for Stay of Remand Proceeding Pending Resolution of the Appeal to the Ninth Circuit." However, "[o]nce a district court certifies a remand order to state court it is divested of jurisdiction and can take no further action on the case." Seedman v. U.S. Dist. Ct. (Empire of Am.), 837 F.2d 413, 414 (9th Cir. 1988) (per curiam). A certified copy of the remand order was mailed to the Sacramento Superior Court on August 23, 2005; therefore, Defendant's request for a stay is denied.

IT IS SO ORDERED.

Dated: August 24, 2005

/s/ Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
United States District Judge